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Ravalli County Commissioners

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September 29, 2008

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Regarding: Streamside Setback Committee Resignation

Dear Commissioners,

We have hired an attorney to research the Montana Open Meeting Laws. The case law on this subject is clear that all meetings where deliberations take place must be announced to the public. The Ravalli County Streamside Setback Committee (hereinafter the S.S. Committee.) has deliberately flouted this law. Their internal email reveals clearly that they are sneaking around using the ruse of sub-committees to avoid public participation.

We have been advised these acts have given us grounds to have any regulation drafted by the current committee thrown out.

There was a presentation last week regarding setbacks in the Big Hole Valley. It was very clear at that meeting that the landowners had got together and hashed out the ideas for the setbacks. The setbacks were not imposed on them by a Committee of non-owners. It was also clear the rules were more practical than what your current S.S. Committee's Draft. For example, the Big Hole landowners said they permitted someone to build where it was clear the structure would not affect the flood plain because it was up on a bluff.

My property is 80 above the Bitterroot River on a bluff. Yet Laurie Riley, one of the S.S. Committee Subchairs, informed me in writing the Ravalli Regulations would make absolutely no provision for this situation.

Laurie Riley's untenable position is the reason we reluctantly decided to support the people who want the growth policy repealed. Her stance on this issue is absurd. It is what pushed us over the edge. Laurie also says it is ok to have public trails in the buffer zone along the river, where the landowner is not even permitted to trim a bush. This posture exposes her hostility towards private property owners. This kind of attitude does not belong on a public committee whose work impacts private property rights.

The S.S. Committee should be made up of mostly streamside owners, just like the one you touted to us as a good example in the Big Hole.

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